IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 4TH DECEMBER 2006 / 13TH AGRAHAYANA 1928

Crl.MC.No. 3431 of 2006()

CMP.2676/2006 of JUDL.MAGISTRATE OF FIRST CLASS COURT, MANNARKAD
CRIME NO.653/2006 OF MANNARKKAD POLICE STATION

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PETITIONER:

R.K.VENKITESWARAN, AGED 50,
S/O. KRISHNAN EMBRANTHIRI, RAMANGALAM P.O.,
KANNAMBRA, PALGHAT DISTRICT.

BY ADV. SRI.T.SETHUMADHAVAN
SRI.PUSHPARAJAN KODOTH
SRI.K.JAYESH MOHANKUMAR

RESPONDENTS:

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1. LAKSHMI,
VACHUPATHI, SHOLAYAR AMSOM DESOM,
MANNARKKAD, PALGHAT DISTRICT.

2. STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SRI.VINOD KUMAR.C
PUBLIC PROSECUTOR SRI.K.A.AKBAR

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON 04/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

Crl.M.C.No.3431 of 2006

Dated this the 4th day of December 2006

O R D E R

This petition is filed by the petitioner to quash a prosecution initiated against him interalia under Section 498A I.P.C. That crime was registered on the basis of a complaint filed by the respondent/complainant which the learned Magistrate had referred to the police under Section 156(3) Cr.P.C.

2. The learned Public Prosecutor, on instructions submits that the investigation is complete and the same has been referred as mistake of fact. I accept the said submission of the learned Public Prosecutor and in the light of that submission, this Criminal Miscellaneous Case has now become unnecessary and redundant. Needless to say, the respondent/complaint's right to raise objections against the refer report shall remain unfettered by the dismissal of this Criminal Miscellaneous Case.

(R.BASANT, JUDGE)

jsr

R.BASANT, J

C.R.R.P.No.

ORDER

21ST DAY OF JULY 2006